



EC-2000-007  
1V-D-1161

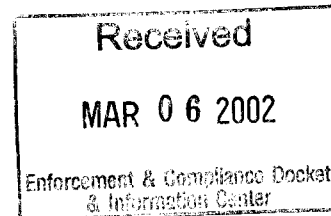
P.O. Box 4567  
Houston, Texas 77210-4567  
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February 26, 2002

**FED EX**

U.S. Environmental Protection Agency  
Enforcement and Compliance Docket and  
Information Center (Mail Code 2201A)  
Attn: Docket Number EC-2000-007  
1200 Pennsylvania Avenue NW.  
Washington, DC 20460

**RE: Comments on Proposed Establishment of  
Electronic Reporting; Electronic Records Rule**



Dear Madam or Sir:

On August 31, 2001, EPA proposed regulations authorizing electronic reporting and electronic recordkeeping to satisfy existing reporting and recordkeeping requirements. *Establishment of Electronic Reporting; Electronic Records*, 66 Fed. Reg. 46,162 (Aug. 31, 2001). The following comments are submitted by the Reliant Energy, Incorporated ("REI"). REI is an energy company that represents approximately 25,580 MW of electrical generation in 7 states. REI's purpose is to provide comments on behalf of the facilities which would be affected by this proposal. REI appreciates the opportunity to comment on the proposed rule.

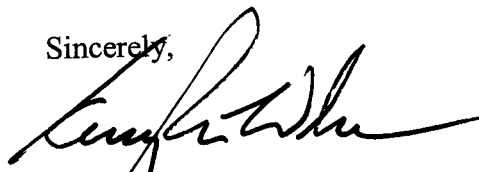
Under the Clean Water Act, REI facilities are required to produce reports and maintain records that would be subject to the proposed rule. The proposal indicates that electronic reporting and recordkeeping is voluntary, the scope of the regulations is such that the practical effect will be that it is mandatory.

For example, the proposed definition of "electronic record" is so broad that it could encompass all records that ever pass through a computer, whether or not the record is intended to be maintained electronically. Additionally, our facilities that currently maintain their records electronically, would be *required* to comply with the proposed rule. The only alternative would be to revert back to a paper-based system, which may not be practical. Finally, states that already require or allow electronic submissions or recordkeeping would have to implement a system that complies with the proposed rule, thus making the provisions mandatory for their permittees as well.

REI requests that EPA either withdraw the proposed rule or revise it to make it truly voluntary. REI also generally endorses the comments submitted by other industry members and groups, including the Utility Water Act Group, the Utility Air Regulatory Group and the Edison Electric Institute.

Should you have any questions concerning this matter, please contact Mr. Ted Long at (713) 945-8226.

Sincerely,



Kerry M. Whelan  
Manager, Water Resources Division  
Environmental Department

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